

HISTORIC PRESERVATION FUND

Appropriation Language

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), [\$72,412,000] \$80,512,000, to be derived from the Historic Preservation Fund, to remain available until September 30, [2000] 2001, of which [\$7,000,000] \$15,022,000 pursuant to section 507 of Public Law 104-333 shall remain available until expended: Provided, That of the total amount provided, \$30,000,000 shall be for Save America's Treasures for priority preservation projects, including preservation of intellectual and cultural artifacts and of historic structures and sites[, of the National Archives and Records Administration and of Federal agencies to which funds were appropriated in the Fiscal Year 1998 Interior and Related Agencies Appropriations Act]: Provided further, That individual Save America's Treasures grants shall be subject to approval by the Secretary and to a fifty percent non-Federal match, and funds provided to Federal agencies shall be available by transfer to appropriate accounts of individual agencies[, after approval of projects by the Secretary]: Provided further, That [the agencies shall develop] a common list of project selection criteria for Save America's Treasures [which] shall be used, which shall include national significance, urgency of need, and educational value, and [which shall be approved by] notice of which shall be transmitted to the House and Senate Committees on Appropriations prior to any commitment of grant funds: Provided further, That individual projects shall only be eligible for one [grant] award of funds provided for Save America's Treasures, and [all] notice of projects to be funded shall be [approved by] transmitted to the House and Senate Committees on Appropriations prior to any commitment of grant funds: [Provided further, That within the amount provided for Save America's Treasures, \$3,000,000 shall be transferred immediately to the Smithsonian Institution for restoration of the Star Spangled Banner, \$500,000 shall be available for the Sewall-Belmont House and sufficient funds to complete the restoration of the Declaration of Independence and the U.S. Constitution located in the National Archives:] Provided further, That none of the funds provided for Save America's Treasures may be used for administrative expenses[, and staffing for the program shall be available from the existing staffing levels in the National Park Service].

Justification of Proposed Language Changes

1. Deletion: “, of the National Archives and Records Administration and of Federal agencies to which funds were appropriated in the Fiscal Year 1998 Interior and Related Agencies Appropriations Act”

This language is proposed to be deleted so as not to limit eligible projects to certain Federal agencies.

2. Addition: “approval by the Secretary and to”
Addition: “funds provided to Federal agencies”
Deletion: “, after approval of projects by the Secretary”
Deletion: “the agencies shall develop”
Deletion: “which”
Addition: “be used, which shall”

These proposed revisions to bill language allow for the possibility that not all Save America's Treasures grant funds would go to Federal agencies. Federal agencies would no longer be directed to have primary responsibility for developing project selection criteria; and the Secretary would be allowed flexibility to approve grants to Federal agencies before or after the transfer of funds.

3. Deletion: “which shall be approved by”
Addition: “notice of which shall be transmitted to”

The language requiring the Appropriations Committees' approval of a common list of project selection criteria for Save America's Treasures would be replaced with language requiring that the list be transmitted to the Appropriations Committees.

Historic Preservation Fund/Appropriation Language, Changes and Citations

4. Deletion: "grant"
Addition: "award of funds provided for Save America's Treasures"

The word "grant" is being replaced with language that more specifically applies only to the Save America's Treasures grant program.

5. Deletion: "all"
Addition: "notice of"
Deletion: "approved by"
Addition: "transmitted to"

The language requiring the Appropriations Committees' approval of all projects to be funded for Save America's Treasures would be replaced with language requiring that notice of projects to be funded be transmitted to the Appropriations Committees.

6. Deletion: "Provided further, That within the amount provided for Save America's Treasures, \$3,000,000 shall be transferred immediately to the Smithsonian Institution for restoration of the Star Spangled Banner, \$500,000 shall be available for the Sewall-Belmont House and sufficient funds to complete the restoration of the Declaration of Independence and the U.S. Constitution located in the National Archives:"

This language is no longer needed because it is specific to funds for Save America's Treasures appropriated in FY 1999.

7. Deletion: ", and staffing for the program shall be available from the existing staffing levels in the National Park Service"

This language is no longer necessary because staffing for Save America's Treasures has been completed. It is also regarded as being unduly restrictive.

Appropriation Language Citations

1. For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), \$_____, to be derived from the Historic Preservation Fund, to remain available until September 30, [BY+1], of which \$_____ pursuant to section 507 of Public Law 104-333 shall remain available until expended: Provided, That of the total amount provided, \$_____ shall be available for Save America's Treasures for priority preservation projects, including preservation of intellectual and cultural artifacts and of historic structures and sites: Provided further, That individual Save America's Treasures grants shall be subject to approval by the Secretary and to a fifty percent non-Federal match, and funds provided to Federal agencies shall be available by transfer to appropriate accounts of individual agencies: Provided further, That a common list of project selection criteria for Save America's Treasures shall be used, which shall include national significance, urgency of need, and educational value, and notice of which shall be transmitted to the House and Senate Committees on Appropriations prior to any commitment of grant funds: Provided further, That individual projects shall only be eligible for one award of funds provided for Save America's Treasures, and notice of projects to be funded shall be transmitted to the House and Senate Committees on Appropriations prior to any commitment of grant funds: Provided further, That none of the funds provided for Save America's Treasures may be used for administrative expenses.

Historic Preservation Fund/Appropriation Language, Changes and Citations

16 U.S.C. 470; section 507 of Division I of Public Law 104-333

16 U.S.C. 470 includes the provisions of the National Historic Preservation Act of 1966 (Public Law 89-665, 80 Stat. 915), as amended. The historic preservation grant program was established by this act in 1966 and the Historic Preservation Fund was established as the fund source in 1976 when the act was amended by Public Law 94-422. Section 108 of the act, as amended (16 U.S.C. 470h) has provided the fund with \$150 million in revenues from Outer Continental Shelf receipts each fiscal year through 1997, to “remain available in the Fund until appropriated.” (Unappropriated balances in the fund are sufficient to provide for the appropriations enacted in fiscal year 1999 and requested in fiscal year 2000.) Section 108 also allows appropriations from the fund to be made “without fiscal year limitation,” thus allowing the two-year appropriation language and the no-year appropriation language. The Save America’s Treasures program is funded under the authority of the Historic Preservation Act of 1996, as amended.

Section 507 of Division I of Public Law 104-333 includes provisions for grants to be made in accordance with this section to eligible historically black colleges and universities for the preservation and restoration of historic buildings and structures on the campus of these institutions, to come from amounts available to carry out the National Historic Preservation Act.